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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,146	11/20/2003	Laurens Leurs	55505.153	8981
60405	7590	08/22/2008		
AGFA c/o KEATING & BENNETT, LLP 1800 Alexander Bell Drive SUITE 200 Reston, VA 20191			EXAMINER PARK, CHAN S	
			ART UNIT 2625	PAPER NUMBER
			NOTIFICATION DATE 08/22/2008	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/718,146	<b>Applicant(s)</b> LEURS ET AL.	
	<b>Examiner</b> CHAN S. PARK	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 May 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17, 19-34 and 36-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17, 19-34 and 36-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Response to Amendment*

1. Applicant's amendment was received on 5/12/08, and has been entered and made of record. Currently, **claims 1-17, 19-34 and 36-38** are pending.

### *Response to Arguments*

2. Upon review of the references of Hamada (U.S. Patent No. 6,631,239) and the Heidelberg "Job Definition Format" publication, which were cited in the Office Action dated 12/11/07 under 35 U.S.C. 103(a), the examiner notes that the references can still be interpreted to maintain the rejections, as currently amended.

The applicant states that "there is no mention of JDF formatting, or any advantage of using JDF or other specific formatting" in Hamada. As addressed in the previous Office Action under 35 U.S.C. 103(a) rejection, the examiner acknowledges that Hamada does not teach the JDF formatting or any advantage of using JDF. It should be noted that because Hamada does not teach this feature, the Heidelberg publication is introduced as the secondary prior art reference under 35 U.S.C. 103(a).

It is noted that Heidelberg teaches many advantages using the JDF in creating a print job. For example, referring to the end of second paragraph of page 1, Heidelberg states that JDF "also facilitates the execution of every aspect of any print job from creation through shipping". Heidelberg not only teaches the advantages of using JDF but also teaches that JDF can be used in any print job.

Therefore, it would have been obvious to one of ordinary skill in the art to create the print job of Hamada in Job Definition Format as taught by Heidelberg. The suggestion/motivation for doing so would have been to provide a versatile and comprehensive format in the print job (second paragraph in page 1). The Office does not find that this combination of prior art teachings is improper to withdraw the previous rejections.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-17, 19-34 and 36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamada U.S. Patent No. 6,631,239 in view of Heidelberg (Job Definition Format Publication submitted in the IDS).

**With respect to claim 1**, Hamada teaches a method for making a digital representation of a printed product (figs. 1 & 2) comprising:

creating by a planning application (input apparatus in col. 2, line 41) a product definition of said printed product (high resolution image data having unedited/original parameters created by the input apparatus in col. 2, lines 39-41 & col. 3, lines 32-36);  
and

outputting said product definition by said planning application to a layout application (application for editing & displaying the image data using the image editing unit 107 in col. 3, lines 5-15 & fig. 1) for using said product definition by said layout application for creating an artwork (the edited low-resolution image data in col. 2, lines 57-61) for making said digital representation of said printed product (note that the low resolution image data reflects another form of said digital representation of said printed product by displaying it on the monitor 114 in col. 2, lines 61-62. Also, this low-resolution image data is used for making print data according to col. 3, lines 32-44).

Hamada, however, does not explicitly teach the step of creating said product definition in JDF.

Heidelberg, the same field of endeavor of the managing the printing process, teaches method of creating said product definition in JDF (pages 3~4). Please refer to the arguments presented above.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the method of creating said production definition in JDF into the printing system of Hamada.

The suggestion/motivation for doing so would have been to provide a mechanism to control all of the processes in print production in the printing system of Hamada.

Therefore, it would have been obvious to combine Hamada with Heidelberg to obtain the invention as specified in claim 1.

**With respect to claim 2**, Hamada teaches the method according to claim 1 further comprising outputting said product definition by said planning application to a

pre-press workflow application (printer driver 112 in fig. 1) for using said product definition by said pre-press workflow application for creating a pre-press product (using high resolution image data to a printable format in col. 3, lines 50-55).

**With respect to claim 3**, Hamada teaches the method according to claim 1 wherein said product definition comprises a first parameter selected from the group of a page size, a number of pages, a bleed size and a set of colors used (note that the high resolution image data inherently has an unedited/original set of colors in col. 1, lines 33-35 & col. 3, lines 5-10 & fig. 3. Also, the input apparatus inherently generates the set of colors for the image data).

**With respect to claim 4**, Hamada teaches the method according to claim 1 further comprising locking a second parameter of said product definition for protecting said second parameter from being modified by said layout application (prohibiting the modification of the parameters of the specified area or image data in col. 3, lines 45-49 & col. 4, lines 16-19).

**With respect to claim 5**, Hamada teaches the method according to claim 2 further comprising locking a second parameter of said product definition for protecting said second parameter from being modified by said layout application (prohibiting the modification of the parameters of the specified area or image data in col. 3, lines 45-49 & col. 4, lines 16-19).

**With respect to claim 6**, arguments analogous to those presented for claim 1, are applicable.

**With respect to claim 7**, Hamada teaches the method according to claim 1 further comprising outputting said product definition by said planning application to an intermediate script (the first memory 14 for receiving the image data from the input apparatus and editing/adjusting parameters from the user in col. 2, lines 47-49 & col. 4, lines 23-25) for driving said layout application (col. 4, lines 23-25).

**With respect to claim 8**, Hamada teaches the method according to claim 1 further comprising outputting said product definition by said planning application to an intermediate application (resolution conversion unit 106 in fig. 1) for sending said product definition in a particular format (low resolution format) to said layout application (application for editing & displaying the image data using the image editing unit 107 in col. 3, lines 5-15 & fig. 1).

**With respect to claims 9-16**, arguments analogous to those presented for claims 1-8 respectively, are applicable.

**With respect to claim 17**, arguments analogous to those presented for claim 1, are applicable. Also, refer to col. 10, lines 45-53 for the computer readable medium storing the computer program product.

**With respect to claim 19**, arguments analogous to those presented for claim 4, are applicable.

**With respect to claims 20 and 21**, arguments analogous to those presented for claims 7 and 8 respectively, are applicable.

**With respect to claim 22**, Hamada teaches a method for creating an artwork for making a digital representation of a printed product (figs. 1 & 2), the method comprising:

inputting a product definition of said printed product (high resolution image data having unedited/original parameters created by the input apparatus in col. 2, lines 39-41 & col. 3, lines 32-36) by a layout application (application for editing & displaying the image data using the image editing unit 107 in col. 3, lines 5-15 & fig. 1) from a planning application (input apparatus in col. 2, line 41); and

using said product definition for creating said artwork (the edited low-resolution image data in col. 2, lines 57-61) by said layout application (note that the low resolution image data reflects another form of said digital representation of said printed product by displaying it on the monitor 114 in col. 2, lines 61-62. Also, this low-resolution image data is used for making print data according to col. 3, lines 32-44).

Hamada, however, does not explicitly teach the step of creating said product definition in JDF.

Heidelberg, the same field of endeavor of the managing the printing process, teaches method of creating said product definition in JDF (pages 3~4). Please refer to the arguments presented above.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the method of creating said production definition in JDF into the printing system of Hamada.

The suggestion/motivation for doing so would have been to provide a mechanism to control all of the processes in print production in the printing system of Hamada.

Therefore, it would have been obvious to combine Hamada with Heidelberg to obtain the invention as specified in claim 22.



**With respect to claim 23**, Hamada teaches the method according to claim 22 wherein said product definition comprises a first parameter selected from the group of a page size, a number of pages, a bleed size and a set of colors used (note that the high resolution image data inherently has an unedited/original set of colors in col. 1, lines 33-35 & col. 3, lines 5-10 & fig. 3. Also, the input apparatus inherently generates the set of colors for the image data).

**With respect to claim 24**, Hamada teaches the method according to claim 22 further comprising locking a second parameter of said product definition for protecting said second parameter from being modified by said layout application (prohibiting the modification of the parameters of the specified area or image data in col. 3, lines 45-49 & col. 4, lines 16-19).

**With respect to claim 25**, arguments analogous to those presented for claim 22, are applicable.

**With respect to claim 26**, Hamada teaches the method according to claim 22 further comprising outputting said product definition by said planning application to an intermediate script (the first memory 14 for receiving the image data from the input apparatus and editing/adjusting parameters from the user in col. 2, lines 47-49 & col. 4, lines 23-25) for driving said layout application (col. 4, lines 23-25).

**With respect to claim 27**, Hamada teaches the method according to claim 22 further comprising outputting said product definition by said planning application to an intermediate application (resolution conversion unit 106 in fig. 1) for sending said product definition in a particular format (low resolution format) to said layout application

(application for editing & displaying the image data using the image editing unit 107 in col. 3, lines 5-15 & fig. 1).

**With respect to claims 28-33**, arguments analogous to those presented for claims 22-27, are applicable.

**With respect to claims 34 and 36-38**, arguments analogous to those presented for claims 22-24, 26 and 27, are applicable. Also, refer to col. 10, lines 45-53 for the computer readable medium storing the computer program product.

### ***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHAN S. PARK whose telephone number is (571)272-7409. The examiner can normally be reached on M-F 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/CHAN S PARK/  
Examiner, Art Unit 2625

/Edward L. Coles/  
Supervisory Patent Examiner, Art Unit 2625

August 15, 2008